

EXHIBIT E

1 Mr. McCann. And then it didn't come -- I
2 didn't have -- I've never had a personal
3 discussion with Mr. McCann about this. It
4 was relayed through attorneys and back.

5 Q. Okay. Now, there are five
6 methodologies here. Which one are you
7 endorsing?

8 A. None.

9 Q. You don't endorse any of them?

10 A. No, sir.

11 Q. Okay.

12 A. I used these methodologies
13 because they were used by the industry. So I
14 didn't want to impose a methodology that
15 wasn't, you know, recognized or utilized by
16 one or multiple distributors.

17 MR. NICHOLAS: Okay. Okay.

18 Let's take a break.

19 THE VIDEOGRAPHER: Going off
20 the record at 12:46 p.m.

21 (Recess taken, 12:46 p.m. to
22 1:30 p.m.)

23 THE VIDEOGRAPHER: We're back
24 on the record at 1:30 p.m.

25 MR. FULLER: Counsel, I think

1 third paragraph from the top of the page, you
2 say: The ARCOS data, defendant transactional
3 data, and the SLCG reports generated
4 therefrom are consistent with the types of
5 data, facts, information, and reports I would
6 typically rely on in conducting the analysis
7 and reaching the opinions contained therein.

8 Do you see that?

9 A. I do, sir.

10 Q. Now, is it your opinion that
11 Dr. McCann's five threshold-based
12 methodologies can be used to identify
13 suspicious orders under Section 1301.74?

14 MR. FULLER: Form, compound.

15 A. You're asking this question
16 about Dr. McCann in regards to this
17 paragraph?

18 BY MR. EPPICH:

19 Q. I can rephrase it.

20 Is it your opinion that the
21 five threshold-based methodologies used by
22 Dr. McCann and cited by yourself, that those
23 methodologies can be used to identify
24 suspicious orders under Section 1301.74?

25 A. No, I think my opinion is clear

1 that they aren't suitable suspicious order
2 systems.

3 Q. Is it your opinion that
4 Dr. McCann's -- and I quote -- "flagged
5 orders" are suspicious orders under
6 Section 1301.74(b)?

7 A. Are you jumping back to the
8 methodologies?

9 Q. I'm just asking you a question,
10 sir.

11 MR. FULLER: You can clarify
12 the question if you don't understand.

13 BY MR. EPPICH:

14 Q. But, yes, under the
15 methodologies. Under the methodologies, yes,
16 sir.

17 A. No, those aren't suspicious
18 orders under the methodologies. Those are
19 dosage units.

20 Q. While you were at the DEA, and
21 the DEA was analyzing ARCOS data, did DEA use
22 any of Dr. McCann's five methodologies to
23 identify suspicious orders?

24 A. When I was at the DEA?

25 Q. Yes, sir.